<u>R E M A R K S</u>

I. <u>Introduction</u>

In response to the pending rejection, Applicants respectfully traverse the rejection for the reasons set forth below.

II. <u>The Rejection Of Claims 1, 3 And 6 Under 35 U.S.C. § 103</u>

Claims 1, 3 and 6 were rejected under 35 U.S.C. § 103 as being unpatentable over USP No. 4,425,513 to Hatao in view of USP No. 6,332,172 to Iverson. Applicants respectfully submit that the foregoing claims are not rendered obvious by the cited prior art.

All Limitations Are Not Disclosed By The Prior Art

Even assuming *arguendo* that the combination of Hatao and Iverson is proper, as explained below, the combination still fails to disclose or suggest each of the limitations set forth in the claims and therefore does not present a *prime facie* case of obviousness.

As recited by claim 1, the present invention relates to a image display device comprising a control device for controlling the operation of the display drive device, wherein the *control device determines whether the image data stored in the first storage device is dynamic or static, and, in the case of a static image, after storing the signals corresponding to one frame of the image data in the second storage device, operates only the second storage device*, the display drive device and the image display device.

As a result of the foregoing structure and operation, the present invention reduces the power consumption associated with displaying a static image by both reducing the memory capacity of the second storage device that stores the static image represented by the reduced

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number of bits, and by minimizing the number of components to be operated for displaying the static image.

The pending rejection relies upon Hatao as disclosing the foregoing elements of claim 1. However, this conclusion is clearly in error.

More specifically, Hatao discloses that a display instruction detecting circuit 3 provides a signal to the CPU 2, which instructs the CPU whether or not to provide *instructions* for operating a static display or a dynamic display. The display instruction detecting circuit 3 makes this determination based on the output of switch SW, which is coupled to the input of the display instruction detecting circuit 3. Nowhere does Hatao appear to disclose how to determine which state switch SW should be in, and therefore does not disclose what element determines if the display is to be in a static mode or a dynamic mode. Thus, contrary to the conclusion of the Examiner, ***Hatao does not disclose a control device which determines whether an image stored in a first memory is dynamic or static***. Indeed, there is no determination made by the control device of Hatao regarding whether or not the image to be displayed is static or dynamic as that information is provided to the control device as an input signal by switch SW.

Furthermore, as the portion of Hatao cited in the rejection makes clear, once the switch SW indicates whether the data to be displayed is static or dynamic, the CPU functions to ***retrieve instructions*** from either ROM 4 or ROM 5. The instructions in ROM 4 correspond to instructions for displaying a dynamic display and the instructions in ROM 5 correspond to instructions for displaying a static display (*see*, Hatao, col. 2, lines 49-55). Thus, Hatao is concerned with retrieving various prestored instructions based on the type of data to be displayed (i.e., static or dynamic). However, Hatao does not disclose or suggest processing image data to determine if the data is static and dynamic, and if static data, storing one frame of image data in a

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second memory, which has less capacity that a first memory utilized for storing image data

which is dynamic. Thus, Hatao also fails to disclose or suggest this element of claim 1.

It is further noted that Iverson neither discloses nor is relied upon as disclosing the

foregoing limitations which Hatao does not disclose. As such, the combination of Hatao and

Iverson do not disclose or suggest each element recited by claim 1.

Accordingly, as all claim elements must be disclosed or suggested by the prior art in

order to establish a prima facie case of obviousness (*see*, M.P.E.P. § 2143.03) and the

combination of Hatao and Iverson fails to do so for at least the foregoing reasons, it is

respectfully submitted that claim 1 and the claims dependent thereon are patentable over Hatao

and Iverson taken alone or in combination.

III.   All Dependent Claims Are Allowable Because The Independent Claim From Which They Depend Is Allowable

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent

claim upon which it depends is allowable because all the limitations of the independent claim are

contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering*

Co., 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claim 1 is are patentable for the

reasons set forth above, it is respectfully submitted that all dependent claims are also in condition

for allowance.

IV.   Request For Notice Of Allowance

Having fully responded to all matters raised in the Office Action, Applicants submit that

all claims are in condition for allowance, an indication for which is respectfully solicited.
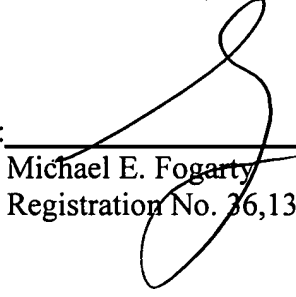
If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such Deposit Account.

Respectfully submitted,

McDERMOTT, WILL & EMERY

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